

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

DANIEL Z. MALDONADO

Petitioner,

ORDER

v.

3:07-cv-673-bbc

RICK RAEMISCH, Secretary,
Wisconsin Department of
Corrections and DAVID H.
SCHWARZ, Administrator,
Division of Hearings and Appeals,

Respondents.

In an order dated December 5, 2007, I assessed petitioner an initial partial payment of the filing fee in the amount of \$68.17 and gave him until December 26, 2007 in which to submit the payment. Now petitioner has submitted a letter dated December 27, 2007, that I construe as a motion for an extension of time to pay the initial partial filing fee. In his motion, petitioner says that he recently mailed an envelope to the court containing a check for the initial partial filing fee. However, the envelope was returned to petitioner for having insufficient postage. Petitioner asks that he not "be penalized for being late" or have his case dismissed. I will grant petitioner an extension of time until January 16, 2008 in which to pay the \$68.17 initial partial filing fee.

ORDER

IT IS ORDERED that petitioner's motion for an extension of time is GRANTED and the deadline within which petitioner is to pay the \$68.17 initial partial payment of the \$350 fee for filing this case is extended to January 16, 2008. If, by January 16, 2008, petitioner fails to pay the initial partial payment he will be held to have withdrawn this action voluntarily. In that event, the clerk of court is directed to close the file without prejudice to petitioner's filing his case at a later date.

Entered this 3d day of January, 2008.

BY THE COURT:

/s/

BARBARA B. CRABB

District Judge